

UNITED STATES DISTRICT COURT

for the

Middle District of Alabama

****Complaint and Affidavit amended to
correct the spelling of the defendant's name
pursuant to order entered on 8/15/18****

United States of America

v.

JORY D'MICHAEL TRAYVUNN DUMAS
~~JORY D'MICHAEL TRAYVUNN DUMAS~~ and
 TIMOTHY DEAN PETTIWAY

Case No.

2:18mj193-6MB

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 10, 2018 in the county of Montgomery in the
Middle District of Alabama, the defendant(s) violated:

Code Section

Offense Description

18 USC 1167

Theft From Gaming Establishment on Indian Lands.

This criminal complaint is based on these facts:

SEE ATTACHMENT A

☒ Continued on the attached sheet.


Complainant's signature

Matt Johnson, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 08/13/2018


Judge's signature

City and state: Montgomery, Alabama

HON. GRAY M. BORDEN U.S. MAGISTRATE

Printed name and title

AFFIDAVIT IN SUPPORT OF AN
A COMPLAINT AGAINST TIMOTHY DEAN PETTIWAY

I, Matthew D. Minshew, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am Special Agent with the Federal Bureau of Investigation (FBI) assigned to the Mobile Division, Montgomery Resident Agency in Montgomery Alabama. My employment with the FBI began on May 2016. As part of my daily duties as a FBI Special Agent, I investigate criminal violations relating to theft from gaming establishments on Indian lands in violation 18 U.S.C., Section 1167. I have received training in the area of investigating theft from gaming establishments on Indian lands (as defined in 18 U.S.C. Section 1167) and participated in active investigations. Your affiant is responsible for enforcing federal criminal statutes involving theft from gaming establishments on Indian lands pursuant to Title 18, United States Code, Section 1167.
2. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.
3. I submit this affidavit in support of an application for an arrest warrant for violation of 18 U.S.C. Section 1167 (Theft from Gaming Establishments on Indian Lands). I have personally participated in the investigation set forth below.
4. For the reasons set out in this affidavit, there is probable cause to believe that Timothy Dean Pettiway has committed the offense of Theft from Gaming Establishments on Indian Lands.

FACTS AND CIRCUMSTANCES SUPPORTING PROBABLE CAUSE

5. This affidavit will show that Timothy Dean Pettiway (Pettiway) and others entered the Wind Creek Casino-Montgomery on August 10, 2018, to abstract, purloin, willfully misapply, or take and carry away with the intent to steal any money, funds, or other property of a value in excess of \$1,000 belonging to a gaming establishment operated by or for or licensed by an Indian tribe pursuant to an ordinance or resolution approved by the National Indian Gaming Commission.
6. On August 10, 2018, on or before 11:00 p.m., Pettiway entered the Wind Creek Casino-Montgomery (Casino) located at 1801 Eddie L. Tullis Drive, Montgomery, Alabama, and was observed by the surveillance team and recorded on the surveillance cameras to be in the vicinity of Kiosk Machine #8 and Kiosk Machine #19, which are located adjacent to the gaming floor and public restrooms adjacent to the front entry of the casino. Niki White, a Casino employee who is employed in Surveillance, recognized Pettiway as an individual from her neighborhood. Accompanying Pettiway into the Casino was Tomika Thomas.
7. Jory Dumas, a former Casino gaming attendant, was also in the proximity and same area as Pettiway. Custodial employee, Lanshandra Fuller, identified Dumas and provided a physical description of Dumas to Tribal police officers. Casino attendant, Courtney Stanton, is observed in surveillance video talking to Dumas.

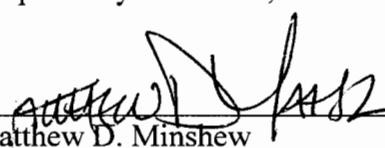
8. On or about 11:00 p.m., Casino employee, Franklin Williams, observed Kiosk machine #8 had a “blue” screen indicating a person was working on the machine. Approximately four minutes later, Williams noticed the screen was still blue. Williams notified the Kiosk Office and Main Bank something was wrong with Kiosk #8. Records reflect Casino gaming attendant Courtney Stanton had checked out the keys to Kiosk #8 and #19 during her shift.
9. Williams notified Stanton Kiosk #8 was opened. Stanton provided a written statement to Tribal police wherein she reported to her supervisor in the main bank that her keys were missing and notified surveillance. Video surveillance footage shows Stanton leaving the keys on top of a machine and walking away and Dumas retrieving the keys.
10. Surveillance video reflects Pettiway kneeling in front of Kiosk machine #8 and with a money cassette in his hand. Pettiway is also seen in the surveillance video adjacent to Kiosk machine #19.
11. Surveillance video reflects Pettiway entering the men’s restroom, which is located a few yards from Kiosk machines #8 and #19. Surveillance video reflects Dumas entering the same men’s room while Pettiway is observed to be in the men’s room. Both men exit the men’s room and leave the Casino. The surveillance video reflects Tomika Thomas (identified by Casino staff) entered the Casino with Pettiway and is stationed at a gaming machine just outside the men’s restroom.
12. Casino security personnel entered the men’s restroom in search of the keys reported lost by Stanton. Security personnel discovered Casino cash cassettes with the numbers “8” and “19” in the handicapped stall.

13. Financial records obtained from the Casino reflect \$100,800 in \$100 bill denominations are unaccounted for from the dispenser cassette assigned to Kiosk machine #8 and \$92,000 in \$100 bill denominations are unaccounted for from the dispenser cassette assigned to Kiosk machine #19.
14. Casino surveillance personnel reviewed surveillance video and noted Pettiway and Thomas leaving the casino in a black Honda Accord bearing Alabama Tag number 3AF982. Dumas was observed leaving the Casino at approximately the same time driving a 2015 Chevy Tahoe bearing Alabama license plate number 3BB4097.

CONCLUSION

15. Based on the aforementioned facts, your affiant believes that probable cause exists to show that Timothy Dean Pettiway committed a Theft from a Gaming Establishment on Indian Lands, located at the Windcreek Casino-Montgomery Located at 1801 Eddie L. Tullis Drive, Montgomery, Alabama on August 10, 2018

Respectfully submitted,


Matthew D. Minshew
Special Agent
Federal Bureau of Investigation

13th Sworn to and subscribed before me this
12th day of August, 2018, in Montgomery, Alabama.


GRAY M. BORDEN
UNITED STATES MAGISTRATE JUDGE

Jory D'Michael Trayvunn Dumas

**AFFIDAVIT IN SUPPORT OF A COMPLAINT AGAINST JORY D'MICHAEL
TRAYVUNN DUMAS**

I, Matthew R. Johnson, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent of the FBI and have been so employed since 2018. As a Special Agent, I attended the FBI Academy in Quantico, Virginia for 20 weeks where I received instruction and training as a Special Agent including training regarding firearms, emergency vehicle operation, the execution of search and arrest warrants, investigative techniques, and federal legal instruction. I am currently assigned to the Mobile Division, Montgomery Resident Agency. Prior to employment with the FBI I was employed by the Vermont State Police from 2010 through 2018.
2. This affidavit is based upon my personal knowledge and knowledge obtained from other Agents, members of law enforcement, witnesses, and other FBI staff. I have not included every fact known to me about this case; rather, I have limited this affidavit to those facts relevant to support this complaint. This affidavit is intended to show merely that there is sufficient probable cause to support this complaint.
3. I submit this affidavit in support of a complaint for violation of Title 18 United States Code, Section 1167 (Theft From Gaming Establishment On Indian Lands). I have personally participated in the investigation set for below.
4. For the reasons set out in this affidavit, there is probable cause to believe that Jory D'Michael Trayvunn Dumas has committed the offense of Theft From Gaming Establishment On Indian Lands.

FACTS AND CIRCUMSTANCES SUPPORTING PROBABLE CAUSE

5. This affidavit will show that Jory D'Michael Dumas (Dumas) and others entered the

Wind Creek Casino-Montgomery on August 10, 2018, to abstract, purloin, willfully misapply, or take and carry away with the intent to steal any money, funds, or other property of a value in excess of \$1,000 belonging to a gaming establishment operated by or for or licensed by an Indian tribe pursuant to an ordinance or resolution approved by the National Indian Gaming Commission.

6. On August 10, 2018, on or before 11:00 p.m., Dumas entered the Wind Creek Casino-Montgomery (Casino) located at 1801 Eddie L. Tullis Drive, Montgomery, Alabama, and was observed by the surveillance team and recorded on the surveillance cameras to be in the vicinity of Kiosk Machine #8 and Kiosk Machine #19, which are located adjacent to the gaming floor and public restrooms adjacent to the front entry of the casino.
7. Timothy Dean Pettiway was also arrived at the Casino on or before 11:00 p.m. and was observed in the same area of the Casino as Dumas. Niki White, a Casino employee who is employed in Surveillance, recognized Pettiway as an individual from her neighborhood. Accompanying Pettiway into the Casino was Tomika Thomas who was identified by Casino staff.
8. Custodial employee, Lanshandra Fuller, identified Dumas and provided a physical description of Dumas to Tribal police officers. Casino attendant, Courtney Stanton, is observed in surveillance video talking to Dumas.

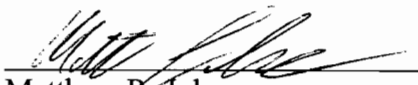
9. On or about 11:00 p.m., Casino employee, Franklin Williams, observed Kiosk machine #8 had a “blue” screen indicating a person was working on the machine. Approximately four minutes later, Williams noticed the screen was still blue. Williams notified the Kiosk Office and Main Bank something was wrong with Kiosk #8. Records reflect Casino gaming attendant Courtney Stanton had checked out the keys to Kiosk #8 and #19 during her shift.
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13. Casino security personnel entered the men’s restroom in search of the keys reported lost by Stanton. Security personnel discovered Casino cash cassettes with the numbers “8” and “19” in the handicap stall.

14. Financial records obtained from the Casino reflect \$100,800 in \$100 bill denominations are unaccounted for from the dispenser cassette assigned to Kiosk machine #8 and \$92,000 in \$100 bill denominations are unaccounted for from the dispenser cassette assigned to Kiosk machine #19.
15. Casino surveillance personnel reviewed surveillance video and noted Pettaway and Thomas leaving the casino in a black Honda Accord bearing Alabama Tag number 3AF982. Dumas was observed leaving the Casino at approximately the same time driving a 2015 Chevy Tahoe bearing Alabama license plate number 3BB4097.

CONCLUSION

16. Based on the above mentioned facts, your affiant believes that probable cause exists to show that Jory Dmichael Trayvunn Dumas committed a Theft From Gaming Establishment On Indian Lands, located at the Windcreek Casino - Montgomery, 1801 Eddie L. Tullis Drive, Montgomery, Alabama, on August 11th, 2018.

Respectfully submitted,


Matthew R. Johnson
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this
13th day of August, 2018, in Montgomery, Alabama.



GRAY M. BORDEN
UNITED STATES MAGISTRATE JUDGE